

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6824 OF 2005

Office notes, office Memoranda
of Coram, appearance, Court's
orders or directions and
Registrar's orders.

Court's or Judge's orders.

Mr.R.R. Mahagavkar for the Applicant.

Mr.A.P. Munderggi with Mrs. Sharmila
Kaushik for the Respondent No.2.

Mr.S.R.Shinde, APP. for the State.

CORAM : R.S. MOHITE, J.
DATED : 3/4/2006.

P.C.

1. Heard both sides.

2. This is an application filed by the applicant impugning an order passed by the Additional Sessions Judge, Pandharpur on 17.8.2005 allowing Criminal Revision Application No.66 of 2005 preferred by the present respondent No.1. By the impugned revisional order the Sessions Court quashed the process issued against the present respondent Nos.1 and 2 for offence under Section 120B, 307, 383,

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511 read with 34 of the I.P.C.

3. Perused the impugned judgment and order as well as the complaint and in my view, the view taken by the Sessions Judge is correct. Only allegations against the present respondents are made in Paragraph Nos. 5 and 6 of the complaint and are to the effect that on 15.1.2002 they alongwith 7 to 9 other persons and a policeman who was holding a gun came to the residence of the complainant. The complainant was not present at that time as he was in the court. The accused tried to indirectly call the complainant but they could not succeed. Then, complainant ultimately came there later at about 4.30p.m. He seriously afraid about his life and went to meet the Dy.S.P. and P.I. and he was assured by the Police Inspector that the person holding a gun was policeman. The complainant asked the police officer to give statement in writing. In my view, even assuming these facts to be correct, it is not even stated in the complaint that the

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present respondent Nos. 1 and 2 came there and threatened the applicant. No case of 120B or any other offence is made out. The Sessions Court has dealt with all aspects of the matter in detail. There is no substance in the application. Hence, application is dismissed.

(R. S. MOHITE, J.)